



PATENT

ATTORNEY DOCKET NO.: 040894-7016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Katsunori ONISHI

Application No.: 10/806,475

Filed: March 23, 2004

For: DISK APPARATUS

Confirmation No. 1702

Group Art Unit: 2627

Examiner: Castro, A.

Mail Stop 313(c)

HAND CARRY

Commissioner for Patents

OFFICE OF PETITIONS, Mail Stop 313(c)

600 Dulany Street

Madison West Bldg.

Alexandria, VA 22314

Telephone: 571-272-3282

Sir:

**PETITION FOR WITHDRAWAL
FROM ISSUE UNDER 37 C.F.R. § 1.313(c)(2)**

Applicant hereby requests withdrawal from issue of the present application under 37 C.F.R. §1.313(c)(2) in light of the Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 submitted herewith to permit consideration of an Information Disclosure Statement Under 37 C.F.R. § 1.97(b) being concurrently filed.

The Commissioner is authorized to charge the Petition Fee of \$130.00 set forth in 37 C.F.R. § 1.17(h) to Deposit Account No. 50-0310.

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02 FC:1464 130.00 DA

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application, including fees under 37 C.F.R. §§ 1.66 and 1.77 which may be required, including any required extension of time, fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:



Robert J. Goodell
Reg. No. 41,040

Date: January 5, 2007

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